

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

<p>MICHAEL TOBIAS</p> <p>Plaintiff</p> <p>v.</p> <p>UNKNOWN PERSONS 1 AND 2, HIS WIFE JANE DOE AND THE CONJUGAL PARTNERSHIP FORMED BETWEEN THEM; ABC COMPANY; PAYWARD VENTURES, INC. DBA KRAKEN BITCOIN EXCHANGE</p> <p>Defendants</p>	<p>CIVIL NO.: 23-CV-1005</p> <p>DECLARATORY JUDGMENT PRELIMINARY AND PERMANENT INJUNCTION</p> <p>THEFT, FRAUD AND RICO</p> <p>JURY TRIAL REQUESTED</p>
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**ORDER ENTERING
PRELIMINAR INJUNCTION**

This matter came before this Court on Plaintiff's Verified Complaint request for Preliminary Injunction. The Court, having considered said request, and now being properly advised, finds that the request for preliminary injunction should be and is **GRANTED**.

After reviewing the Verified Complaint, I find that this Order should be granted *ex-parte* and without notice due to the liquid nature of the amount deposited at PAYWARD VENTRUES, INC. D/B/A KRAKEN BITCOIN EXCHANGE and that by the very nature of the theft and hacking of Plaintiff's account that the amount of \$3,949,568 BUSD stablecoin is in immediate and imminent risk of being transferred and/or stolen leading to a substantial and irreparable harm. See FRCP 65(b)(2).

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that Defendants, UNKNOWN PERSONS 1 AND 2, HIS WIFE JANE DOE AND THE CONJUGAL PARTNERSHIP FORMED BETWEEN THEM; ABC COMPANY; PAYWARD VENTURES, INC. DBA KRAKEN BITCOIN EXCHANGE and all persons and entities acting under their direction or in concert with them, are hereby ENJOINED from taking any measures to transfer, withdraw, move, gift, encumber or exchange an **amount of \$3,949,568 BUSD**

stablecoin (equal to or around \$3,949,568.00 USD) obtained from or transferred to the following addresses:

- <https://explorer.bnbchain.org/tx/EE1E40FD0895C844DB4F50DFF00777B06E3E2AC6E1C1CD0D648DC206E3103B22>
- bnb1n9aywqt30llgtxmyt02y2unhwx0ua9e5qnyz0g
- bnb1jee2x9g44gptvxu9dqe5uzlnj6j67zhgtwm2s2
- <https://etherscan.io/address/0x63b0322cd2c6cab7bc6cc5d693a6b9458def68c8#tokentxns>
- <https://etherscan.io/tx/0x331877e80c89dff504861e1aad90ca13aad3489b7ddf620200f541613bb97720>

Security pursuant to FRCP 65(c) has been posted in **the nominal amount of \$____.00** by Plaintiff. See Hoechst Diafoil Co. v. Nan Ya Plastics Corp., 174 F3d 411, 421 (4th Cir. 1999). The date for the hearing on the Preliminary Injunction is set for _____pursuant to FRCP 65(b)(3).

This order was issued at _____AM/PM on _____, 2023 and will remain in effect until fourteen (14) days after its expedition.

IT IS SO ORDERED.

Dated: _____

JUDGE
U.S. District Court for the
District of Puerto Rico